

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	5:07-CR-9-SLB-JEO
)	
BRIAN SCOTT CULVER)	

GOVERNMENT'S MOTION FOR REVOCATION OF THE
MAGISTRATE'S ORDER GRANTING THE DEFENDANT'S REQUEST
FOR BOND

____COMES NOW the United States of America, by and through its counsel, Alice H. Martin, United States Attorney for the Northern District of Alabama, and Laura D. Hodge, Assistant United States Attorney for the Northern District of Alabama, and hereby files pursuant to Title 18 United States Code Section 3145(a)(1) a motion for revocation of the magistrate's order granting the defendant's request for bond and also hereby requests that the court set a hearing on this motion as soon as possible. As grounds for this motion, the United States represents as follows:

1. On January 31, 2007, the defendant was indicted by the Grand Jury and charged in a two count indictment with violations of Title 18 United States Code Sections 2251(a).

2. On February 5, 2007, the defendant turned himself in to the United Marshal service.

3. A detention hearing began on February 7 and concluded on February 9. The defendant was granted a bond with certain conditions. One of those conditions requires that the defendant be released to the third party custody of his parents. According to testimony during the detention hearing, the defendant's parents are out of the country until February 20, 2007. Therefore the defendant is currently still in custody.

4. Accordingly, based on the short time frame, and the government's position that the defendant should be detained pending trial, the government requests that the Court set this matter for a hearing as soon as possible. If this matter cannot be resolved before February 20 (the date of the parents' return to the United States), the government further requests that the defendant's release be stayed until after such hearing or determination by the District Court.

Respectfully submitted this the 15th day of February, 2007.

ALICE H. MARTIN
United States Attorney

/s/
LAURA D. HODGE
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of February, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorney of record: Herbie Brewer.

/s/

LAURA D. HODGE

Assistant United States Attorney